

Appl. No. 10/666,199
Amendment dated April 11, 2005
Response to Office Action of January 10, 2005

Amendments to the Drawings:

None.

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Remarks

This application has been carefully reviewed in light of the Office Action of January 10, 2005. By way of this amendment, claims 10 and 19 have been amended. Claims 1-9, 20, and 21 have been withdrawn. Claims 10-19 are currently pending. Applicant requests further review and reconsideration in light of the following remarks.

Applicant appreciates the courtesies extended by Examiner Burnham in a telephone interview on December 20, 2004. Applicant hereby affirms the provisional election of claims 10-19 for further prosecution made during that interview.

Claim 10 has been objected to because of the use of the term "open-ended container" in lines 5-6 and 7-8. Claim 10 has been rewritten to recite "said container" consistently in each instance, and it is requested that the objection be withdrawn.

Claim 19 has been objected to because of the claim dependency. This has been corrected and it is requested that the objection be withdrawn.

Claims 10-19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,623,683 (Bennett) in view of U.S. Patent Application Publication 2003/0215162 (Switlik) and U.S. Patent 5,082,702 (Alband). This rejection is respectfully traversed in light of the present amendment.

Claim 10 has been rewritten to recite, among other elements, that the hollow container is adapted to be mounted underneath a seat such that the opening is directly accessible for inspection and removal of the cover without substantial movement of the container. This amendment is supported generally in the drawings and specification and more particularly in paragraph [0030], and Figures 2-4. Examples of how the container may be adapted for this purpose are the provision of a flange plus mounting straps 52 or mounting bands 54 (Figures 2 and 3); or a radiused flange 56 which mates against a transverse beam 50 of the seat (Figure 4). In each case, the container 30 is suspended out of the way of the passenger's feet and luggage, yet the opening 36 is disposed in a forward-facing position where it is plainly visible for inspection and is immediately

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accessible to pull off the cover 40 and retrieve the life jacket 32, without any additional steps.

Bennett discloses an equipment container 11 which is stored underneath a seat 10 on rail-like "side portions" 37 and 38. A cover member 31 is attached to the container with adhesive strips. Inspection sufficient to examine the adhesive strips, or removal of the cover member, requires that the entire container be slid out from underneath the seat. This container is clearly not adapted to be accessible without substantial movement thereof, as recited by amended claim 10.

Switlik teaches a safety equipment container 117 enclosing a life raft 136. The container has an opening 119 which is closed off by a sealing apparatus (e.g. item 112). The sealing apparatus can include a tamper-evident portion. While Switlik makes reference to mounting the container to an ejection seat, it does not teach how it could be adapted to be mounted under a seat in the manner claimed.

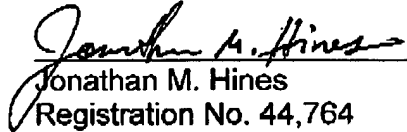
The Examiner has stated that It would have been obvious to one of ordinary skill in the art, in light of the teaching of Switlik, to modify Bennett by adding the Alband tape to the cover. However, even if combined in this manner, the modified container of Bennett would not be immediately accessible for inspection or use. This is an important difference. The present invention is adapted to be mounted with the cover exposed for immediate access, simplifying both inspection and use. For example, the cover seals of a large number of containers can be confirmed by a simple visual scan. Accordingly, it is submitted that Bennett in view of Switlik and Alband fails to teach every limitation of amended claim 10 and the rejection should be withdrawn.

Claims 11-19 depend from claim 10 and are thus believed to be allowable for the reasons stated above.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the objections and rejections is requested. Allowance of claims 10-19 at an early date is solicited.

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